IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

THURSDAY, THE 6TH SEPTEMBER 2007 / 15TH BHADRA 1929

Bail Appl..No. 5202 of 2007()

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CR NO.217/06 OF CHENGANNUR EXCISE RANGE
CMP.2977/2007 of J.M.F.C.-I, CHENGANNUR

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PETITIONER/ACCUSED

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SRI. SATHEESAN, S/O. VASU, AGED 33 YRS,
EDAYADIPARAMBIL VANCHIYOOZHATHU LAKSHAMVEEDU
COLONY, ERAMALLIKKARA COLONY, THIRUVANVANDOOR
VILLAGE, CHENGANNUR.

BY ADV. SRI.S.HARIKRISHNAN

RESPONDENTS: COMPLAINANT

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1. STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. THE EXCISE INSPECTOR,
CHENGANNUR.

BY PUBLIC PROSECUTOR SRI.S.U. NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 06/09/2007, A/W. BA 5208 OF 2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

**R. BASANT, J.**

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B.A.Nos. 5202 & 5208 of 2007

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Dated this the 6th day of September, 2007

**O R D E R**

Application for regular bail. The common petitioner faces indictment in two separate crimes, both under the Kerala Abkari Act. He was allegedly found to be in possession of 1 litre of arrack on 27.4.07 and 10 litres of spirit on 2.8.2007. He was arrested and he continues in custody from 2.8.2007. The learned Prosecutor submits that the petitioner has yet another case under the Abkari Act to his credit, in which he has already been enlarged on bail.

2. The learned counsel for the petitioner prays, the learned Prosecutor does not oppose the said prayer on condition that the Investigator is granted reasonable further time to complete the investigation and I am satisfied that the petitioner can now be directed to be enlarged on bail subject to appropriate terms and conditions. The learned Prosecutor points out that the petitioner is involved in one other crime under the Abkari Act also.

3. In the result:

1) These applications are allowed.

2) The petitioner shall be released on bail on the following terms and conditions.

(a) The petitioner shall not be released from custody on the strength of this order prior to 12.9.2007. The Investigators shall in the meantime make every endeavour to complete the investigation.

(b) He shall execute a bond for Rs.50,000/- (Rupees fifty thousand only) in each case with two solvent sureties each for the like sum to be satisfaction of the learned Magistrate.

(c) He shall make himself available for interrogation before the Investigating Officer on all Mondays and Fridays between 10 a.m. and 12 noon for a period of two months and thereafter as and when directed by the Investigating Officer in writing to do so.

**(R. BASANT)**
Judge

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